

**MAR 17 2006**

**NOT FOR PUBLICATION**

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ALEJANDRO PEDRO CONTRERAS,  
et al.,

Defendant - Appellant.

No. 04-50209

D.C. No. CR-02-01290-GAF-03

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
Gary A. Feess, District Judge, Presiding

Submitted March 8, 2006\*\*

Before: CANBY, BEEZER, and KOZINSKI, Circuit Judges.

Alejandro Pedro Contreras appeals from the 121-month sentence imposed following his guilty plea to conspiracy to distribute and possess with intent to distribute marijuana, in violation of 21 U.S.C. §§ 846 and 841(a)(1). We have

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\* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

\*\* This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

jurisdiction pursuant to 28 U.S.C. § 1291.

We vacate appellant's sentence and remand to the district court for re-sentencing consistent with *United States v. Booker*, 543 U.S. 225 (2005).

**VACATED and REMANDED.**